

Remarks

Claims 2-6 are canceled.

Claims 1, 16 and 17 are amended.

Claim 20 is added.

Claims 1, 7-17 and 20 are pending upon entry of this amendment.

The hydroxylamine esters are now limited to those of formula (C). The definitions of compounds of formula (C) are imported into claims 1, 16 and 17 from claim 5.

New claim 20 is added, aimed at where the hydroxylamine ester is one particular compound, found on page 51 of the specification (compound 138).

No new matter is added.

Claims 1-17 are rejected under 35 USC 103(a) as being unpatentable over WO 99/00450 in view of Galbo, et al., U.S. Pat. No. 5,096,950 and WO 01/90113.

The present hydroxylamine esters are now limited to cyclic ketals of formula C.

In extensive studies, the inventors found that the cyclic ketals of structure (C) have significant advantages over hydroxylamine esters with open chain structures in the 4 position (relative to the hydroxylamine ester). The instant structures provide for a significantly higher thermal stability and hence, a more efficient flame retardant effect. This can, for example, be seen in working Examples E1-E5, Table 6 on page 62.

All inventive combinations show improved flame retardance as compared to the references. However, compound 138, a cyclic ketal, outperforms the open chain compound 106 (p. 50). Example E1 and E3 containing besides the other additives 0.5 parts of compound 106 show an average burn

time of 20 and 17 seconds respectively, whereas compound 138 in examples E2 and E4 at 0.1 parts provides for 9 and 7 seconds respectively.

These results clearly indicate that in the 4-position relative to the hydroxylamine ester, cyclic ketals are superior as compared to corresponding open chain compounds.

These outstanding results towards flame retardancy cannot be expected from the combined disclosures of the cited art. These results are surprising and are unexpected.

In view of the present amendments and the above discussion, Applicants submit that the present claim rejections are addressed and are overcome.

The Examiner is kindly requested to reconsider and to withdraw the present rejections.

Applicants submit that the present claims are in condition for allowance and respectfully request that they be found allowable.

Respectfully submitted,



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Attachment: Petition for a one month extension of time